

Why Study the Constitution?

Election and voter registration officials are called upon to explain to candidates, special interest groups, individuals, students, and legislative bodies how the election process works and why the laws and procedures have been developed over time.

All too often, even knowledgeable people have wanted to change procedures or laws or methods of elections without understanding the U.S. Constitution. It is important that those professionals who have to administer the voter registration and election process thoroughly understand the Constitutional provisions affecting citizen access to the democratic system.

We are officials privileged to assist voters in completely participating in their own governance. This necessitates a thorough understanding of the Constitutional provisions which affect the right to vote—and how America's expansion of that right to additional classes of voters such as women, minorities and the young has impacted the nation.

It is incumbent upon us to guide and direct those who would make changes in the process and help them to understand the evolution of election law and election processes. Knowing when and what actions took place that led to new Constitutional provisions and being able to answer the "why" of those actions, means that we can better guide public leaders, public opinion makers, and citizens in the quest for improving the democratic ideal.

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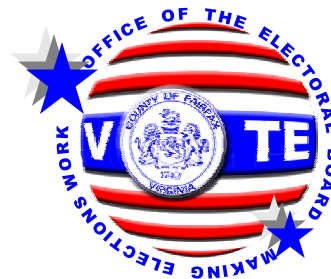
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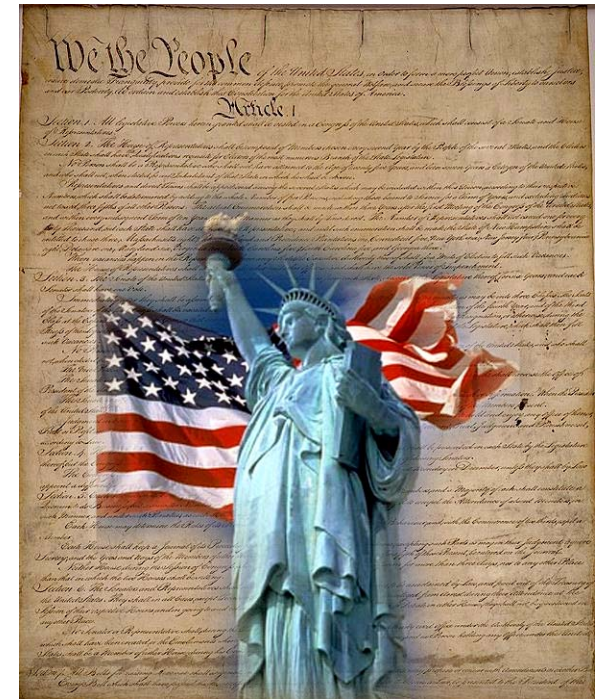
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The Constitution of the United States of America



WE THE PEOPLE of the United States, in
Order to form a more perfect Union, establish
Justice, insure domestic Tranquility, provide
for the common defense, promote the general
Welfare, and secure the Blessings of Liberty to
ourselves and our Posterity, do ordain and
establish this Constitution for the United
States of America.

- The Preamble -

Our Constitution: Historical Notes

The Delegates who convened at the Federal Convention on May 25, 1787, quickly rejected the idea of revising the Articles of Confederation and agreed to construct a new framework for a national government. Throughout the summer months at the convention in Philadelphia, delegates from 12 states debated the proper form such a government should take, but few questioned the need to establish a more vigorous government to preside over the union of states. The 39 delegates who signed the Constitution on September 17, 1787, expected the new charter to provide a permanent guarantee of the political liberties achieved in the Revolution.

Prior to the adoption of the Federal Constitution, an Articles of Confederation drafted by the Continental Congress and approved by 13 states, provided for a union of the former British colonies. Even before Maryland became the last state to agree to the Articles in 1781, a number of Americans, particularly those involved in the trial of the Revolutionary War, recognized the inadequacies of the Articles as a framework for a national government. In the 1780's these nationally-minded Americans became increasingly disturbed by the Articles' failure to provide the central government with authority to raise revenue, regulate commerce or enforce treaties.

Despite repeated proposals that the Continental Congress revise the Articles, the movement for a new national government began outside the Congress. Representatives of Maryland and Virginia, meeting at Mt. Vernon to discuss trade problems between the two states, agreed to invite delegates from all states to discuss commercial affairs at a meeting in Annapolis, Maryland, in September 1786.

Although delegates from only five states reached the Annapolis Convention, that group issued a call for a meeting of all states to discuss necessary revisions of the Articles of Confederation. Responding to this call and the endorsement of the Continental Congress, every state except Rhode Island selected delegates for the meeting in the State House at Philadelphia.

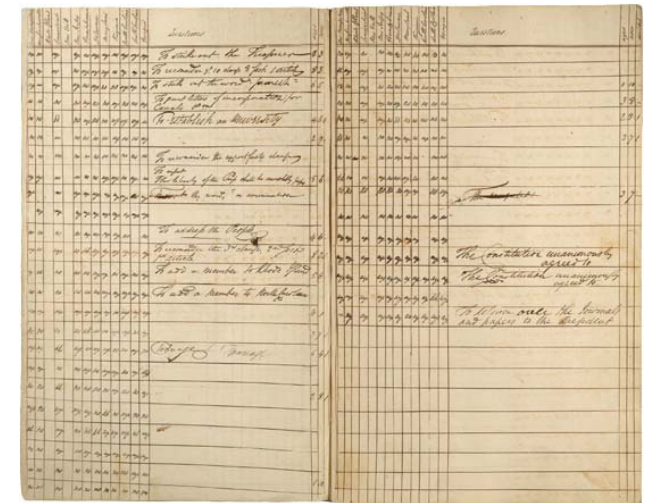
The Constitution of the United States was the product of nearly four months of deliberations in the Federal Convention at Philadelphia. The challenging task before the delegates was to create a republican form of government that could encompass the 13 states and accommodate the anticipated expansion to the west. The distribution of authority between legislative, executive and judicial branches was a boldly original attempt to create an energetic central government at the same time that the sovereignty of the people was preserved.

The longest debate of the Convention centered on the proper form of representation and election for the Congress. The division between small states that wished to perpetuate the equal representation of states in the Continental Congress and the large states that proposed representation proportional to population threatened to bring the Convention proceedings to a halt. Over several weeks the delegates developed a complicated compromise that provided for equal representation of the states in a Senate elected by state legislatures and proportional representation in a popularly-elected House of Representatives.

The conflict between large and small states disappeared in the early years of the republic. More lasting was the division between slave and free states that had been a disturbing undercurrent in the Convention debates.

The Convention's strained attempt to avoid using the word slavery in the articles granting recognition and protection to that institution scarcely hid the regional divisions that would remain unresolved under the terms of the union agreed to in 1787.

The debates in the state ratification conventions of 1787 and 1788 made clear the need to provide amendments to the basic framework drafted in Philadelphia. Beginning with Massachusetts, a number of state conventions ratified the Constitution with the request that a bill of rights be added to protect certain liberties at the core of English and American political traditions. The First Congress approved a set of amendments which became the Bill of Rights when the constitution was ratified by the states in 1791. The continuing process of amendment has enabled the Constitution to accommodate changing conditions in American society at the same time that the Founders' basic outline of national government remains intact.



Voting Record of Constitutional Convention, 1787. "Tis done! ...We have become a nation." Benjamin Rush, following the ratification of the U.S. Constitution, July 9, 1788.